

Section 1070 - Abatement of Nuisances

1070.01 Abatement. Any activity declared to be a nuisance by any provisions of this Code may be abated pursuant to this Section, except that abatement of noxious weeds and other vegetation shall be done pursuant to Subsection 1050.08 or other applicable provisions of this Code. To do such abatement, the City, through its employees or independent contractors, may enter upon any property where the nuisance exists, with such workers and equipment as the City deems necessary to abate such nuisance. Abatement may be accomplished by preventing, stopping, removing or destroying the nuisance.

1070.02 Health or Safety Hazard.

Subd. 1 **Health or Safety Hazard.** If the nuisance is a health or safety hazard on private property, it may be abated and the cost collected and assessed pursuant to Section 1200 of this Code. However, this provision shall not apply to structures included under the provisions of M.S. 463.15 to 463.26.

Subd. 2 **Public Health.** If the nuisance is a threat to public health such as a public health nuisance, source of filth or cause of sickness, the Community Health Board described in Section 700 of this Code, or the Sanitarian, may proceed to remove or abate the threat, and recover the cost thereof, pursuant to Section 705.07 of this Code and M.S. 145A.04.

1070.03 Nuisances under Section 1200. If the nuisance is included within any of the items specified in Subsection 1200.06 of this Code, then it may be abated, and the cost collected and assessed pursuant to Section 1200 of this Code.

1070.04 Other Nuisances. If the nuisance is not within the provisions of Subsections 1070.02 or 1070.03, then it may be abated and the cost collected and assessed pursuant to the provision of this Subsection.

Subd. 1 **Conditions to Enter Property.** Entry upon any property pursuant to Subsection 1070.04 shall be done only after a public hearing has been held pursuant to M.S. 429.031, and the Council has ordered entry and abatement in the same manner as it orders an improvement pursuant to M.S. 429.031.

Subd. 2 **Determination of Cost.** After the Council has ordered entry and abatement, the City shall do such abatement by use of its own employees or by letting a contract to an independent contractor.

Subd. 3 **Assessment of Costs.** When the abatement is done, the City shall determine the cost and shall hold a public hearing pursuant to notice as provided in M.S. 429.061, and such cost, with interest as determined by the Council pursuant

to M.S. 429.061, shall be levied and collected as an assessment against the property or properties where the nuisance was located, all pursuant to M.S. 429.061.

History: None

Reference: M.S. 145.04, 429.031, 429.061, 463.15 to 463.26

Cross Reference: Section 1200